

FREQUENTLY ASKED QUESTIONS REGARDING SEPTIC SYSTEMS (ONSITE WASTEWATER SYSTEMS)

1. What is an onsite wastewater system?

Typically called a septic system, an onsite wastewater system is a unit designed to treat and dispose of wastewater from residential, commercial or industrial facilities. The most basic onsite wastewater systems include a septic tank and leachfield, these are called “septic systems.” However, various alternative treatment and disposal methods can be used, and these are referred to with the broader term “onsite wastewater systems.”

2. What is the Water Board’s role in regulating onsite wastewater systems?

California law (Water Code §13263) requires formal authorization to discharge waste such as sewage. Authorization can be in the form of Water Board permits (called waste discharge requirements) or a waiver. The Water Board also specifies criteria for siting, design, construction, maintenance and management of onsite wastewater systems to ensure protection of water quality. These criteria are described in Chapter 4 of the Water Quality Control Plan, Central Coast Basin (Basin Plan).

3. What are the Water Board’s new regulations for onsite wastewater systems?

The Central Coast Water Board originally adopted rules for septic systems in 1983. Those rules called on local permitting agencies, mostly counties, to develop plans to manage septic systems, especially in urbanizing areas and areas where site conditions were not favorable for septic systems. Most permitting agencies have not developed management plans. In May 2008, the Water Board updated the 25-year old criteria to strengthen and clarify existing language. In March 2009, the Water Board again amended the Basin Plan updating a previously expired waiver for onsite systems, and in May 2011, the Water Board amended the conditional waiver with clarifying revisions. The new rules establish a regulatory program that will allow local agency control of septic systems and require that permitting agencies enter into inter-agency memoranda of understanding (MOUs) with the Water Board and develop management plans to take full advantage of the local control options. In areas without management plans, those planning to install new septic systems or replace or make major repairs to existing systems can apply to the Water Board for enrollment under the waiver in lieu of applying for an individual permit. In areas with approved management plans, no Water Board permit or fee is required. The new rules provide a tool for streamlining permitting of new systems and support local agency management in lieu of direct Water Board oversight. The rules will not take effect until they are approved by the State Water Resources Control Board (State Water Board) and the Office of Administrative Law (OAL), estimated to take approximately six months.

4. How do the new rules affect existing septic systems?

These new rules do not create new requirements for properly functioning, existing septic systems. If you own an existing, properly functioning septic system, you do not need to take any action at this time.

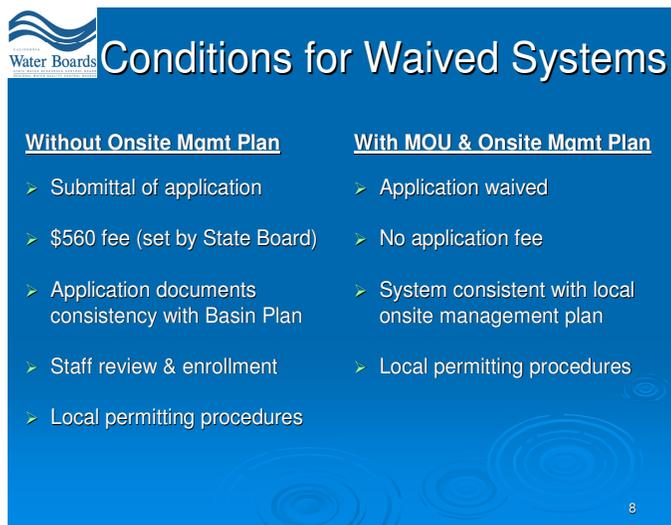
5. Do I need a permit to install a new onsite wastewater system?

In areas with interagency MOUs and Water Board-approved local management plans, no Water Board permit or fee is required. In areas without management plans, anyone proposing to install a new onsite wastewater system needs a permit or other formal authorization (such as a

waiver) from the Water Board, in addition to permits issued by the local agency (city or county). See No. 7 below for application instructions. The waiver adopted by the Water Board in May 2011 provides a streamlined enrollment process for new systems. There is an enrollment fee of \$560. Again, in areas with Water Board-approved local management plans, no Water Board permit or fee is required.

6. What is the Water Board's waiver for onsite wastewater systems?

On May 5, 2011, the Central Coast Water Board adopted a Basin Plan Amendment (Resolution No. R3-2011-0004) that includes a waiver for onsite wastewater systems. This waiver provides a tool for authorizing onsite systems in a timely and low-cost manner, and renews the waiver used for the past 28 years. The Basin Plan Amendment and waiver are not complete until approved by the State Water Board and OAL. After that approval, anyone seeking to build a new onsite system may apply for enrollment under the waiver in lieu of applying for individual permit or an individual waiver. In areas with MOUs and approved management plans, applications, permits, and fees are waived. In areas with MOUs and approved management plans you will not need to contact the Water Board, simply contact your local permitting agency. The waiver conditions are described on the slide below.



<u>Without Onsite Mgmt Plan</u>	<u>With MOU & Onsite Mgmt Plan</u>
➤ Submittal of application	➤ Application waived
➤ \$560 fee (set by State Board)	➤ No application fee
➤ Application documents consistency with Basin Plan	➤ System consistent with local onsite management plan
➤ Staff review & enrollment	➤ Local permitting procedures
➤ Local permitting procedures	

7. What is an onsite wastewater management plan?

Local agencies develop and implement plans for managing onsite discharges, to ensure compliance with State regulations (Basin Plan criteria) and long-term water quality protection. These onsite wastewater management plans include investigating impacts from onsite systems, identifying suitable and unsuitable areas for onsite systems, permitting, monitoring, public education, and other features. The Central Coast Water Board provides guidance and assistance to local agencies developing onsite wastewater management plans, and local agencies follow their own program development processes. Local agencies seeking to implement onsite management plans in lieu of Basin Plan criteria, must submit their management plans for Water Board approval. Also, as described in the slide above, areas with local onsite management plans and interagency MOUs (between the Water Board and local agency) can provide streamlined local oversight of onsite systems.

8. How do I apply for a permit or waiver for a new onsite wastewater system?

In areas where the local agency implements a Water Board-approved onsite management plan and enters into MOU, no application to the Water Board is needed and those seeking to install

new systems simply proceed with local permitting processes. After State Water Board and OAL approval of the Basin Plan Amendment and conditional waiver, in areas without Water Board-approved onsite management plans, applicants must submit a report of waste discharge. The application must be accompanied by information to document compliance with the Basin Plan criteria and a \$560 filing fee. The application will be reviewed for consistency with Basin Plan criteria and suitability for enrollment under the waiver.

9. What criteria are applicable to existing onsite wastewater systems?

The Basin Plan includes criteria for siting, design, construction, maintenance and management of onsite wastewater systems. Those same criteria are applicable to existing systems - to the greatest extent practicable. The criteria recommend inspecting tanks, pumping solids, and alternating leachfields to prolong the system's functional life. The criteria require maintenance to be consistent with a local onsite management plan (if there is one), septage to be disposed at authorized sites, and records to be maintained. Existing systems are not required to be retrofitted to meet the current criteria.

10. If my onsite wastewater system fails, what criteria do I need to meet?

In cases where onsite systems fail, they must be repaired or replaced in order to prevent water quality and/or public health impacts. The Basin Plan criteria call for repair or replacement of existing systems to be consistent with the Basin Plan criteria *to the greatest extent practicable*. This means that if the failure is due to poor maintenance, then replacing the leachfield may be all that is needed. If the failure is due to poor site conditions (such as steep slope, shallow groundwater, poor percolation rates) then alternative treatment or disposal methods may be needed. The specific repairs are not stated in the Basin Plan and are evaluated on a case-by-case basis.

10. What is the status of the statewide regulations proposed under AB885?

The State Water Board has been in the process of developing statewide regulations for onsite wastewater systems for many years, in response to Assembly Bill 885. The State Water Board recently held scoping workshops throughout the state to gather public input. The State Water Board anticipates developing statewide regulations by the end of 2011. Further information is available at the State Water Resources Control Board website at http://www.swrcb.ca.gov/water_issues/programs/owts/index.shtml

11. Where can I get more information regarding onsite wastewater systems?

Your local County Health Department and your local permitting agency (City or County) is the best place to gather information specific to your onsite system. Therefore, if you live in:

San Mateo County contact Greg Smith at gjsmith@co.sanmateo.ca.us

Santa Clara County contact Phil Smith at phil.smith@deh.sccgov.org

San Benito County contact Robert Shingai at bobs@sanbenitoco.org

Santa Cruz County contact John Ricker at john.ricker@co.santa-cruz.ca.us

Monterey County contact Richard LeWarne at lewarner@co.monterey.ca.us

San Luis Obispo County contact Barry Tolle at btolle@co.slo.ca.us

Santa Barbara County contact Richard Merrifield at rick.merrifield@sbcphd.org

Ventura County contact Melinda Talent at melinda.talent@ventura.org

Kern County contact Matt Constantine at mattc@co.kern.ca.us

The Central Coast Water Board staff can also provide additional assistance at 805/549-3147.